

Application No. 10/720928
Amendment dated June 15, 2006
After Final Office Action of March 15, 2006

Docket No.: 013436.028/PTUS
(Bushnell 25-26)

REMARKS

Claims 1 - 8 are pending in this application. In a Final Office Action mailed 15 March 2006, the Examiner rejected claims 1 - 8 under 35 USC 103(a) as being unpatentable over Mayne (US Patent Application Publication No. 2004/0025047) in view of McConnell (US Patent No. 6,970,719). This rejection is respectfully traversed. The Examiner noted with respect to independent claim 1:

Regarding claim 1, Mayne discloses an interoperability system (fig. 1 and its description) connected to an enterprise communication network (LAN 10) and a public communication network (PSTN 43 or Internet 14 (fig 8) or WAN [0101] or phone network 44 [0119]) for providing communication services to users' wireless station sets (fig. 1, 3-8) which are located in the coverage area of a one of said enterprise communication network and said public communication network (fig. 1 and its description), comprising:

presence server means (WIS 1 and [0028]) for storing user data representative a service status of a user wireless station set (described as "if the user is using a wireless communications device 3, 4, 5, 6, 7, 8, the WIS will store an indication of the device, either as a particular address, device identifier, or the like together with the user name and password ... The WIS can store data concerning which radio 34, 28 the user's communication device 3, 4, 5, 6, 7, 8 is attached to. Every time a user's communication device 3, 4, 5, 6, 7, 8 moves from one radio to another there is a disconnection and reconnection process", see [0074]-[0075]), comprising:

information sharing means (fig. 2, PBX 40 Interface 23 and AP Interface 21) for exchanging said user presence data with said enterprise communication network and said public communication network (described as "To make this as seamless as possible a 'roaming' capability is operated by the processor to allow the controlled hand-off from one radio to another", see [0075]) to extend the wireless services provided in the enterprise communication network to the public communication network based on said presence data (described as "Every time a user's communication device 3,4,5,6,7,8 moves from one radio 28, 34 to another there is a disconnection and reconnection process", see [0074]-0075]).

But Mayne does not particularly show location means for identifying a last determined location of said user wireless station set in said enterprise communication network and said public communication network; and device status means for identifying a present busy/idle status of said user wireless station set. However in analogous art, McConnell teaches location means for identifying a last determined location of said user wireless station set in said

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enterprise communication network and said public communication network (col. 11, lines 53-56); and device status means for identifying a present busy/idle status of said user wireless station set (col. 11, line 50-53). Since, Mayne and McConnell (abstract) are related to a method for the mobile station in wireless communication with a private network and a public wireless network; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Mayne as taught by McConnell because "Each mobile station typically has a 'home' wireless network, in which a home location register (HLR) serves as a central repository of information about the mobile station. Typically, the HLR contains a service profile for the mobile station, the last reported location of the mobile station, and the current status of the mobile station, such as whether it is active or inactive. The service profile indicates which enhanced services the mobile station subscribes to", (see col. 2, lines 53-60).

Applicants have reviewed the cited Mayne reference and the Examiner's clearly stated grounds for rejection, and have amended claims 1, 3 - 5, 7, and 8, and present the following arguments in support of patentability of Applicants' claimed invention, as amended above.

Applicants' interoperability system functions to extend the wireless Private Branch Exchange services provided in the enterprise communication network to the cellular communication network based on the presence and supervision data provided by the interoperability system. The provision of ubiquitous service to the user, regardless of their location, provides a significant advantage over existing Private Branch Exchange and cellular communication network services. In addition, the user is equipped with only one wireless station set, which can operate as a cordless Private Branch Exchange extension in the office or as a standard wireless station set outside of the office. Applicants' interoperability system exchanges user presence data with at least one of the enterprise communication network and the public communication network to extend the wireless services provided in the enterprise communication network to the public communication network based on the collected presence data. By provisioning the Private Branch Exchange with this wireless station set mobility, this allows the user to roam within the wireless coverage area of one of the two networks or to roam between the two networks. This capability also provides telephone coverage personnel with information about the status of a user's wireless station set before they attempt to forward a call or simply call the user's wireless station set.

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In order to interpret Applicants' claims, it is important to understand the meaning of the term "enterprise communication network" as defined in Applicants' specification on page 1, lines 10 - 14:

Enterprise communication networks consist of proprietary voice and data networks used to serve a predetermined set of users who are typically employed by a single entity. A Private Branch Exchange is typically used to provide voice-based services to these users and associated Wire-line or Wireless Local Area Networks are used for data connectivity.

In contrast with Applicants' interoperability system, the Mayne Patent discloses a system that wirelessly connects communication devices to a local building network via a number of wireless network nodes (LAN Access Devices). The wireless network nodes are connected to a wireless Internet network server that provides access to the Internet as well as other devices served by the local building network.

The Mayne Patent is focused on a self-contained network (enterprise communication network) that comprises a wireless portion comprising wireless devices 3-8, the LADs 2, a wired portion comprising LAN 10, PBX 40, devices 11-13, 41-42, and a WIS 1 which interconnects the wireless and wired portions. The WIS 1 also serves to interconnect the enterprise communication network with the public communication network (Internet 14). The WIS 1 is capable of managing the communications among the wireless and wired devices that are served by the wireless portion (LADs 2) and the wired portion (LAN10), as noted in Mayne:

[0054] The WIS 1 is a focal point for Bluetooth communication and provides a central point for managing and controlling Bluetooth mobile devices. The WIS 1, leveraging its knowledge of Bluetooth connectivity, can be used to update these mobile devices, provide status on their whereabouts, provide backups, etc.

[0059] FIG. 6 shows an example in which a connection to a PBX 40 is implemented, the WIS 1 will have the ability to associate communications devices 3, 4, 5, 6, 7, 8 such as Bluetooth phones and handsets as extensions of the PBX.

With regard to voice communication, the WIS 1 can route a call to the user's phone within the scope of coverage of the enterprise communication network that comprises a wireless portion comprising wireless devices 3-8, the LADs 2, a wired portion comprising LAN 10, PBX 40, devices 11-13, 41-42, and a WIS 1 which interconnects the wireless and wired portions:

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[0110] The WIS is also adapted to handle voice communication. This can be activated either by using voice over IP and transferring the call via the Internet, or by using the PBX interface. The PBX adapter allows connection to an existing PBX so that when an incoming call can be transferred to an extension which rings the Bluetooth phone via the Bluetooth connection. The Bluetooth phone becomes a portable extension of the desk phone. If the Bluetooth phone is incorporated in a mobile phone, these phones are referred to as 3-in-1 phone, the three modes being: GSM calls outside of the office environment, cordless calls and intercom calls directly between Bluetooth phones when inside the office.

However, the Mayne Patent fails to show or suggest the provision of: "presence server means for storing user presence data ... comprising: location means for identifying a last determined location of said user wireless station set in said enterprise communication network and said public communication network" or "information sharing means for exchanging said user presence data with said enterprise communication network and said public communication network to extend the wireless services provided in the enterprise communication network to the public communication network based on said presence data", since there is no communication with the public communication network with respect to the location of the user's telephone set in the system of the Mayne Patent.

The McConnell Patent discloses a private wireless network that provides wireless telecommunication services to subscriber mobile stations that also subscribe to a public wireless network. The private wireless network includes a private base transceiver station (BTS), a private mobile switching center (MSC), and a gateway service control point (SCP). The private BTS provides a private network wireless coverage area within which the mobile station can communicate with the base transceiver station over an air interface. The gateway SCP has a private network database containing private network data records for subscribing mobile stations. A private network data record includes a private network service profile and a private network locator address. The public wireless network has a home location register (HLR) with a public network database containing public network data records for subscribing mobile stations. A public network data record includes a public network service profile and a public network locator address. When a subscriber mobile station is active on the private wireless network, the private network locator address identifies the private MSC, and the public network locator address identifies the gateway SCP. By providing the private network wireless coverage area so that it overlaps the public

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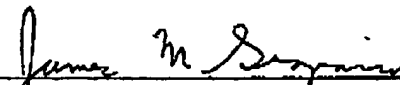
network's wireless coverage area, the subscriber mobile station may be handed off between the private and public wireless networks.

Applicants have amended independent claims 1 and 5 to further distinguish Applicants' invention from the cited Mayne and McConnell Patents. In particular, the attendant function in locating the user and processing an incoming call as a function of the presence information obtained from the presence server is now clearly recited in these claims. These amendments to independent claim 1 are believed to overcome the rejection of Applicants' claim 1 since the cited Mayne and McConnell Patents do not show or suggest structure recited in Applicants' independent claim 1. Applicants believe that independent claim 5 is also allowable for the reasons noted with respect to claim 1. Furthermore, Applicants believe that claims 2 - 4 and 6 - 8 are allowable since these claims depend upon allowable base claims.

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance. Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-1848, under Order No. 013436.0287PTUS from which the undersigned is authorized to draw.

Respectfully submitted,
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